

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Sunil Chada et al.

Serial No.: 10/791,692

Filed: March 2, 2004

For: METHODS AND COMPOSITIONS
INVOLVING MDA-7

Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: INGN:105US

**CERTIFICATE OF MAILING
37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

September 15, 2004
Date

mpem
Monica A. De La Paz

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 CFR 1.53(B)**

MS MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b), dated April 19, 2004, enclosed are:

- (a) Six Declarations executed on behalf of Sunil Chada, John B. Mumm, Rajagopal Ramesh, Abner M. Mhashilkar, Raymond E. Meyn, and Elizabeth Grimm;
- (b) Two Powers of Attorney on behalf of Board of Regents, The University of Texas System and Introgen Therapeutics, Inc.;
- (c) Substitute Drawings, Figures 1-74 on 87 pages;

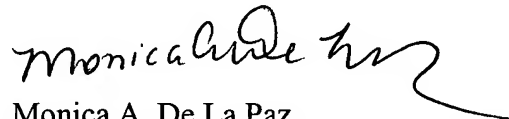
- (d) Our check in the amount of \$1401.00 to cover the basic filing fee (\$385.00 - utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$476.00); three month extension of time fee (\$475.00);
- (e) A copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b); and
- (f) A Request for Extension of Time of three months to and including September 19, 2004. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

Assignments to Board of Regents, The University of Texas System and Introgen Therapeutics, Inc. and checks for \$40.00 each are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/INGN:105US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Monica A. De La Paz
Reg. No. 54,662
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: September 15, 2004

JFW



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/791,692	03/02/2004	Sunil Chada	INGN:105US

32425
 FULBRIGHT & JAWORSKI L.L.P.
 600 CONGRESS AVE.
 SUITE 2400
 AUSTIN, TX 78701



CONFIRMATION NO. 3897

FORMALITIES LETTER



OC000000012383428

Date Mailed: 04/19/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/17/2004 LWONDIM1 00000078 10791692

01 FC:2001	385.00 DP
02 FC:2051	65.00 DP
03 FC:2201	215.00 DP
04 FC:2202	261.00 DP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-49A, 50-52, 54-63.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$476** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

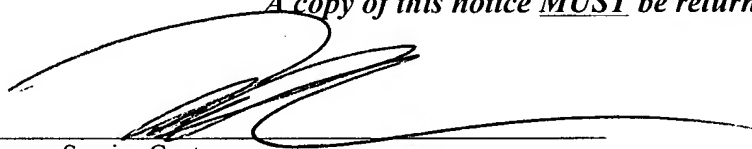
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$926** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$476**
 - **\$215** for **5** independent claims over 3.
 - **\$261** for **29** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE